

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
TENNESSEE BUSINESS ENTERPRISE**

**CHAPTER 1240-6-16
HEALTH INSURANCE AND RETIREMENT PROGRAM**

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1240-6-16-.01 HEALTH INSURANCE ELIGIBILITY.

- (1) Pursuant to a majority vote of all licensed managers, vending machine income received by the Agency which is not payable to licensed managers as provided in 34 C.F.R. § 395.8 and which is sufficient in amount shall be used in accordance with 34 C.F.R. § 395.9 to provide health insurance coverage to all licensed, permanently assigned vending facility managers and eligible dependents. Managers who are not permanently assigned and who have established transfer or demotion eligibility shall continue to receive the health insurance benefits so long as there is an accrual of seniority in accordance with chapter 1240-6-5-.06(3). Licensed managers who are temporarily assigned shall not receive such coverage. Pursuant to budgetary decisions made by the Agency and Committee, managers may be required to pay a portion of their health insurance premiums.

Authority: T.C.A. §§ 4-5-201 et seq., 71-1-105(12), 71-4-503, 71-4-509, and 71-4-604; 34 C.F.R. § 395.
Administrative History: Original rule filed April 8, 2005; effective June 22, 2005.

1240-6-16-.02 RETIREMENT BENEFITS ELIGIBILITY.

- (1) Pursuant to a majority vote of all licensed managers, vending machine income received by the Agency which is not payable to licensed managers as provided in 34 C.F.R. § 395.8 shall be used in accordance with 34 C.F.R. § 395.9 to provide a retirement plan for all licensed, permanently assigned vending facility managers. Managers who are not permanently assigned and who have established transfer or demotion eligibility shall continue to receive the retirement benefits if there is an accrual of seniority in accordance with chapter 1240-6-5-.06(3). Licensed managers who are temporarily assigned shall not receive such benefits

Authority: T.C.A. §§4-5-201 et seq., 71-1-105(12), 71-1-503, 71-4-509, and 71-4-604; 34 C.F.R. § 395.
Administrative History: Original rule filed April 8, 2005; effective June 22, 2005.

1240-6-16-.03 CONTRIBUTIONS TO THE RETIREMENT PLAN.

- (1) The Agency shall, if the monies are available after contributing funding to the health insurance program, make contributions to a retirement plan on an annual basis, if possible. Such contributions may be made directly to the manager or to an established retirement account depending upon the vote of the Committee.

Authority: T.C.A. §§4-5-201 et seq., 71-1-105(12), 71-1-503, 71-4-509, and 71-4-604; 34 C.F.R. § 395.
Administrative History: Original rule filed April 8, 2005; effective June 22, 2005.